

Mr. CARDIN. Mr. Speaker, regrettably, I cannot support this bill because of the budget implications it would create. The Bush Administration has failed to produce a budget proposal that is fiscally responsible, it has failed to protect the Social Security surplus, and this bill will dip even further into that surplus. We cannot raid the Social Security surplus to reward private schools while we are in the middle of a budget crunch and a public school funding crunch.

There are two measures in H.R. 5203 that I do support. We should extend Section 529 savings accounts so that hard-working parents can attempt to keep pace with rapidly rising higher education costs and give their children the opportunity to go to college by creating education savings accounts. We should also allow parents of military academy students with scholarships to withdraw Section 529 funds without penalty. We must give students who are attending our military academies the same treatment as students with other scholarships. I hope that we can enact a good budget bill that includes these important provisions.

Mr. HULSHOF. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Missouri (Mr. HULSHOF) that the House suspend the rules and pass the bill, H.R. 5203, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. McDERMOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. HULSHOF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the subject of H.R. 5203, the bill just debated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CERTIFICATION AND STATEMENT OF JUSTIFICATION REGARDING AUSTRALIA GROUP—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations:

To the Congress of the United States:

Consistent with the resolution of advice and consent to ratification of the

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997, I hereby certify pursuant to Condition 7(C)(i), Effectiveness of the Australia Group, that:

Australia Group members continue to maintain equally effective or more comprehensive controls over the export of: toxic chemicals and their precursors; dual-use processing equipment; human, animal, and plant pathogens and toxins with potential biological weapons applications; and dual-use biological equipment, as that afforded by the Australia Group as of April 25, 1997; and

The Australia Group remains a viable mechanism for limiting the spread of chemical and biological weapons—related materials and technology, and the effectiveness of the Australia Group has not been undermined by changes in membership, lack of compliance with common export controls and nonproliferation measures, or the weakening of common controls and nonproliferation measures, in force as of April 25, 1997.

The factors underlying this certification are described in the enclosed statement of justification.

GEORGE W. BUSH.

THE WHITE HOUSE, September 4, 2002.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m.

Accordingly (at 5 o'clock and 20 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 5203, by the yeas and nays;

H.R. 3287, by the yeas and nays.

The vote on the motion to suspend the rules on House Resolution 94 will be taken tomorrow.

The Chair will reduce to 5 minutes the time for the second electronic vote.

EDUCATION SAVINGS AND SCHOOL EXCELLENCE PERMANENCE ACT OF 2002

The SPEAKER pro tempore. The pending business is the question of sus-

pending the rules and passing the bill, H.R. 5203, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. HULSHOF) that the House suspend the rules and pass the bill, H.R. 5203, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 213, nays 188, not voting 32, as follows:

[Roll No. 371]

YEAS—213

Aderholt	Granger	Paul
Akin	Graves	Pence
Armey	Green (WI)	Peterson (PA)
Bachus	Greenwood	Petri
Baker	Grucci	Pickering
Ballenger	Gutknecht	Pitts
Barcia	Hall (TX)	Platts
Bartlett	Hansen	Pombo
Barton	Hart	Portman
Bass	Hayes	Pryce (OH)
Bereuter	Hayworth	Putnam
Biggert	Hefley	Radanovich
Bilirakis	Herger	Ramstad
Bishop	Hilleary	Regula
Blunt	Hobson	Rehberg
Boehner	Hoekstra	Reynolds
Bonilla	Horn	Riley
Boozman	Hostettler	Rogers (KY)
Brady (TX)	Houghton	Rogers (MI)
Brown (SC)	Hulshof	Ros-Lehtinen
Bryant	Hunter	Royce
Burr	Hyde	Ryan (WI)
Burton	Isakson	Ryun (KS)
Callahan	Israel	Saxton
Calvert	Issa	Schaffer
Camp	Istook	Sensenbrenner
Cannon	Jenkins	Sessions
Cantor	John	Shadegg
Capito	Johnson (CT)	Shaw
Castle	Johnson (IL)	Shays
Chabot	Johnson, Sam	Sherwood
Chambliss	Jones (NC)	Shimkus
Clement	Keller	Shuster
Coble	Kelly	Simmons
Collins	Kennedy (MN)	Simpson
Combest	Kerns	Skeen
Cox	King (NY)	Smith (MI)
Crane	Kingston	Smith (NJ)
Crenshaw	Kirk	Smith (TX)
Cubin	Knollenberg	Souder
Culberson	Kolbe	Stearns
Cunningham	LaHood	Sullivan
Davis, Jo Ann	Larsen (WA)	Sununu
Deal	Latham	Sweeney
DeLay	LaTourette	Tancred
DeMint	Leach	Tauzin
Diaz-Balart	Lewis (CA)	Taylor (NC)
Doolittle	Lewis (KY)	Terry
Dreier	Linder	Thomas
Duncan	LoBiondo	Thornberry
Dunn	Lucas (KY)	Thune
Ehlers	Lucas (OK)	Tiahrt
Emerson	Manzullo	Tiberi
English	Matheson	Toomey
Everett	McCrery	Upton
Ferguson	McInnis	Vitter
Flake	McKeon	Walden
Fletcher	Mica	Walsh
Foley	Miller, Dan	Wamp
Forbes	Miller, Jeff	Watkins (OK)
Fossella	Moran (KS)	Watts (OK)
Frelinghuysen	Myrick	Weldon (FL)
Gallegly	Nethercutt	Weldon (PA)
Ganske	Ney	Weller
Gekas	Northup	Whitfield
Gibbons	Norwood	Wicker
Gilchrest	Nussle	Wilson (NM)
Gillmor	Osborne	Wilson (SC)
Goode	Ose	Wolf
Goodlatte	Otter	Wu
Goss	Oxley	Young (FL)

NAYS—188

Abercrombie	Baldacci	Blumenauer
Ackerman	Becerra	Boehlert
Allen	Bentsen	Bonior
Andrews	Berkley	Borski
Baca	Berry	Boswell
Baird	Blagojevich	Boucher